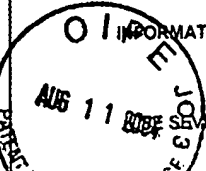


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| FORM PTO-1449<br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br>INFORMATION DISCLOSURE STATEMENT<br>BY APPLICANT<br>(USE SEVERAL SHEETS IF NECESSARY) | ATTY. DOCKET NO.<br>MASIMO.55CP1DV2 | APPLICATION NO.<br>10/700,324 |
|  | APPLICANT<br>Diab et al.            |                               |
|  | FILING DATE<br>November 3, 2003     | GROUP<br>3736                 |

| U.S. PATENT DOCUMENTS |    |                 |          |                   |       |          |                                 |
|-----------------------|----|-----------------|----------|-------------------|-------|----------|---------------------------------|
| EXAMINER<br>INITIAL   |    | DOCUMENT NUMBER | DATE     | NAME              | CLASS | SUBCLASS | FILING DATE<br>(IF APPROPRIATE) |
|                       | 1  | RE 35,122       | 12/19/95 | Corenman et al.   |       |          |                                 |
|                       | 2  | 3,638,640       | 02/01/72 | Shaw              |       |          |                                 |
|                       | 3  | 3,704,706       | 12/05/72 | Herczfeld et al.  |       |          |                                 |
|                       | 4  | 4,407,290       | 10/04/83 | Wilber            |       |          |                                 |
|                       | 5  | 4,773,422       | 09/27/88 | Isaacson et al.   |       |          |                                 |
|                       | 6  | 4,785,463       | 11/15/88 | Janc et al.       |       |          |                                 |
|                       | 7  | 4,824,242       | 04/25/89 | Frick et al.      |       |          |                                 |
|                       | 8  | 4,848,901       | 07/18/89 | Hood Jr.          |       |          |                                 |
|                       | 9  | 4,863,265       | 09/05/89 | Flower et al.     |       |          |                                 |
|                       | 10 | 4,867,571       | 09/19/89 | Frick et al.      |       |          |                                 |
|                       | 11 | 4,948,248       | 08/14/90 | Lehman            |       |          |                                 |
|                       | 12 | 5,276,705       | 01/04/94 | Higgins           |       |          |                                 |
|                       | 13 | 5,349,952       | 09/27/94 | McCarthy et al.   |       |          |                                 |
|                       | 14 | 5,521,938       | 05/28/96 | Stewart et al.    |       |          |                                 |
|                       | 15 | 5,555,882       | 09/17/96 | Richardson et al. |       |          |                                 |
|                       | 16 | 5,579,341       | 11/26/96 | Smith et al.      |       |          |                                 |
|                       | 17 | 5,640,416       | 06/17/97 | Chalmers          |       |          |                                 |
|                       | 18 | 5,919,134       | 07/06/99 | Diab              |       |          |                                 |
|                       | 19 | 5,940,346       | 08/17/99 | Sadowsky et al.   |       |          |                                 |
|                       | 20 | 6,229,856       | 05/08/01 | Diab et al.       |       |          |                                 |
|                       | 21 | 6,643,530       | 11/04/03 | Diab et al.       |       |          |                                 |

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| EXAMINER<br>INITIAL      |    | DOCUMENT NUMBER | DATE     | COUNTRY     | CLASS | SUBCLASS | TRANSLATION |
|                          |    |                 |          |             |       |          | YES NO      |
|                          | 22 | DE 3328862 A1   | 02/28/85 | Deutschland |       |          |             |
|                          | 23 | EP 0 335 357    | 03/29/89 | Europe      |       |          |             |
|                          | 24 | EP 0 761 159 A2 | 08/06/96 | Europe      |       |          |             |

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| EXAMINER   | DATE CONSIDERED 7/20/05 |
| *EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT. |                         |

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| FORM PTO-1449   | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.<br>MASIMO.55CP1DV2 | APPLICATION NO.<br>10/700,324 |
|  INFORMATION DISCLOSURE STATEMENT<br>BY APPLICANT<br>(SEE SEVERAL SHEETS IF NECESSARY) |  | APPLICANT<br>Diab et al.            |                               |
|   |  | FILING DATE<br>November 3, 2003     | GROUP<br>3738                 |

| FOREIGN PATENT DOCUMENTS |    |                 |          |         |              |              |             |    |
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| EXAMINER<br>INITIAL      |    | DOCUMENT NUMBER | DATE     | COUNTRY | CLASS        | SUBCLASS     | TRANSLATION |    |
|                          |    |                 |          |         |              |              | YES         | NO |
| <i>[Signature]</i>       | 25 | JP 2002-51129   | 04/16/02 | Japan   | <del>X</del> | <del>X</del> |             |    |
| <i>[Signature]</i>       | 26 | WO 94/09698     | 09/24/93 | PCT     |              |              |             |    |
| <i>[Signature]</i>       | 27 | WO 98/46125     | 04/10/98 | PCT     |              |              |             |    |
| <i>[Signature]</i>       | 28 | WO 99/52420     | 10/21/99 | PCT     |              |              |             |    |

| EXAMINER<br>INITIAL | OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) |  |  |  |  |  |  |  |
|---------------------|--|--|--|--|--|--|--|--|
|                     | 29   |  |  |  |  |  |  |  |
|                     | 30   |  |  |  |  |  |  |  |
|                     | 31   |  |  |  |  |  |  |  |
|                     | 32   |  |  |  |  |  |  |  |
|                     | 33   |  |  |  |  |  |  |  |

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| EXAMINER<br><i>[Signature]</i>   | DATE CONSIDERED<br>7/20/05 |
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